IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL
ORIGINAL JURISDICTION
Dated: Nainital the July 5, 2006
Criminal Bail Application No. 577 of 2006
Order on the bail application of accused

CRIMINAL SIDE

Chetan @ Manoj S/o Gyan Das
R/o Mau Khurd
P.S. Baloni
District Bagpat (U.P.) ….Applicant

Versus

State of Uttaranchal …Opposite Party

Arising out of Case Crime No. 90 of 2004
Under Section 302 of I.P.C.
P.S. Jhabreda
District Haridwar

By the court

Hon'ble B.C. Kandpal, J.

The applicant has applied for bail in case crime No. 90 of 2004 under Section 302 I.P.C., P.S. Jhabreda District Haridwar.

Heard Sri Parikshit Saini, learned counsel for the applicant, learned A.G.A. and perused the record.

The applicant is not named in the First Information Report. However, the only evidence against the applicant is that of extra judicial confession. There is no recovery of any incriminating article from the possession of the applicant.

The extra judicial confession which is allegedly recorded by the prosecution is also not satisfactory as the prosecution has given the changed version from time to time.

The applicant is in jail since July 2005 and learned A.G.A. could not show any criminal history of the applicant before me.

Having considered the aforesaid facts and circumstances of the case, I think it would be just and proper to release the applicant on bail at this stage.

Let the applicant be released on bail on his executing a personal bond and furnishing two sureties each in the like amount to the satisfaction of Magistrate concerned.

(B.C. Kandpal, J.)

05.07.2006
ASWAL